

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

J. R.,  
Plaintiff,  
v.  
MORGAN HILL UNIFIED SCHOOL  
DISTRICT,  
Defendant.

Case No. 16-CV-04989-LHK

**ORDER CONFIRMING SETTLEMENT  
OF MINOR'S CLAIMS AND  
DISMISSING CASE**

Re: Dkt. No. 34

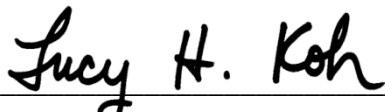
J.R., a minor child, brings this suit through his mother and guardian ad litem against the Morgan Hill Unified School District. J.R. is a ten year old child with a learning disability. ECF No. 1 (“Compl.”) ¶ 10. Before March 2016, J.R. attended school in the Campbell Unified School District, which had an Individual Education Plan (IEP) that provided him with one hour of speech and language therapy per week. *Id.* ¶ 11. After J.R. moved to the Morgan Hill Unified School District (“District”), however, J.R. alleges that the District failed to offer J.R. an offer of placement and services, failed to convene a thirty-day IEP team meeting, and failed to provide J.R. with an assessment plan. *Id.* ¶¶ 14–20. In doing so, J.R. alleges that the District discriminated against him on the basis of his disability in violation of Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794.

1 Before the Court is Plaintiff's motion for settlement confirmation. ECF No. 34. In the  
2 motion, Plaintiff states that the parties have reached a settlement whereby Plaintiff will "accept  
3 \$12,000 to resolve all claims, issues, and disputes alleged in the Complaint." ECF No. 34, at 2. In  
4 the attached declaration, J.R.'s mother and guardian ad litem states that she intends to use the  
5 settlement proceeds "to provide J.R. with tutoring services, occupational therapy services, speech  
6 and language services, social skills opportunities, supplies necessary to facilitate his education,  
7 behavioral services, assistive technology services and devices, and/or extracurricular activities to  
8 support social skills." ECF No. 34-1, at 1. The settlement agreement also provides that Defendant  
9 shall pay \$3,000 in attorney's fees to Ruderman & Knox, LLP. ECF No. 34, at 2.

10 Having reviewed the motion, the attached declaration, and the record in this case, the Court  
11 finds that the settlement represents fair and adequate consideration for the compromise of J.R.'s  
12 claims against the Morgan Hill Unified School District. The Court therefore APPROVES the  
13 proposed settlement and DISMISSES the case. Pursuant to the settlement agreement, Defendant  
14 shall pay \$12,000 to J.R. through his guardian ad litem to be used for the benefit of J.R., and  
15 Defendant shall pay \$3,000 in attorney's fees to Ruderman & Knox, LLP. The Clerk shall close  
16 the file.

17 **IT IS SO ORDERED.**

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19 Dated: March 15, 2017

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21 LUCY H. KOH  
22 United States District Judge  
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